

**IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**TAMMY WHITE, an individual,**

**Plaintiff,**

**v.**

**COMMUNITY HEALTH SYSTEMS,  
INC., a foreign corporation, and  
AFFINITY HOSPITAL, LLC d/b/a  
GRANDVIEW MEDICAL CENTER, a  
foreign limited liability company,**

**Defendants.**

**CASE NO.:** \_\_\_\_\_

**COMPLAINT AND  
JURY DEMAND**

**COMPLAINT AND JURY DEMAND**

COMES NOW, Tammy White, by and through her undersigned attorneys and files the instant Complaint and Jury Demand against Defendants Community Health Systems, Inc and Affinity Hospital, LLC d/b/a Grandview Hospital and states the following in support:

**PARTIES**

1. Plaintiff, Tammy White, is an individual and is a resident and citizen of Kimberly, Jefferson County, Alabama.

2. Defendant Community Health Systems, Inc. ("CHS") is Delaware corporation with its principal place of business at 4000 Meridian Boulevard, Franklin, Tennessee 37067 with registered agent for service at Corporation Service Company Inc, 641 South Lawrence Street, Montgomery, Alabama 36104.

3. Defendant Affinity Hospital, LLC d/b/a Grandview Medical Center ("Affinity"), is a subsidiary of CHS maintaining its principal address at 4000 Meridian Boulevard, Franklin,

Tennessee 37067 and with registered agent for service at Corporation Service Company Inc, 641 South Lawrence Street, Montgomery, Alabama 36104.

4. Grandview Medical Center (“Grandview”) is located at 3690 Grandview Parkway, Birmingham, Jefferson County, Alabama.

5. The incident which forms the basis of this case occurred on the Grandview property in Jefferson County, Alabama.

### **JURISDICTION AND VENUE**

6. This Honorable Court has jurisdiction pursuant to 28 U.S.C. § 1332(a) based upon the diversity of the parties. The amount in controversy exceeds, exclusive of interest and costs, the sum of \$75,000.00.

7. This Honorable Court has personal jurisdiction over Defendants because at all relevant times they have engaged in substantial business activities in the State of Alabama. At all relevant times Defendants transacted, solicited, and conducted business in Alabama through their employees, agents, and/or sales representatives, and derived substantial revenue from such business in Alabama.

8. Venue in this judicial district is proper pursuant to 28 U.S.C. § 1391(b)(2) because a substantial part of the events or omissions giving rise to the claim occurred within this judicial district. Defendants conduct business in this judicial district.

### **FACTS**

9. This is a premises liability claim in which Tammy White alleges she was caused to slip and fall and be injured on the Grandview property in Jefferson County, Alabama.

10. On or about November 30, 2017, the Plaintiff, Tammy White, was a visitor on the premises of Grandview.

11. Grandview negligently and dangerously left melting ice in the hallway, with no visible warning, which caused Plaintiff to fall.

12. As a direct and proximate result, she was caused to sustain severe and permanent injuries.

13. Immediately after her fall, Plaintiff sought medical treatment for severe right knee pain.

14. Imaging dated December 28, 2017 indicated a large radial tear of the medial meniscus in Plaintiff's right knee.

15. Plaintiff required diagnostic arthroscopy of her right knee, partial medial meniscectomy, and right knee chondroplasty of the patellofemoral joint on January 18, 2018.

16. The indications for surgery included that Plaintiff suffered right knee pain since recent injury that has been recalcitrant to conservative treatment.

17. To date, Plaintiff continues to suffer right knee pain as a direct and proximate result of her fall at Defendants' facility.

### **CAUSES OF ACTION**

#### **FIRST CAUSE OF ACTION**

##### **NEGLIGENCE**

**(Against all Defendants)**

18. The Plaintiff avers that all of her injuries and damages were proximately caused by the negligence and/or wantonness of the Defendants and/or their agents, servants, or employees while acting within the line and scope of their employment for the Defendants.

19. At the time of the incident which is the subject of this action, Plaintiff was a visitor on the premises Grandview.

20. Plaintiffs injuries and damages were caused by the negligent failure of Defendants, to use reasonable care to discovery and remedy a hazardous condition on the premises and Defendants failure to provide Plaintiff and others similarly situated with a reasonably safe environment.

**JURY DEMAND**

Plaintiff demands trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure and the Seventh Amendment of the U.S. Constitution.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff demands judgment against Defendants, and each of them, individually, jointly, and severally, as follows:

- a) For general damages in a sum in excess of the jurisdictional minimum of this Court;
- b) For medical, incidental and hospital expenses according to proof;
- c) For pre-judgment and post-judgment interest as provided by law;
- d) For consequential damages in excess of the jurisdictional minimum of this Court;
- e) For compensatory damages in excess of the jurisdictional minimum of this Court;
- f) For punitive damages in an amount in excess of any jurisdictional minimum of this Court in an amount sufficient to deter similar conduct in the future and punish the Defendants for the conduct described herein;
- g) For attorneys' fees, expenses and costs of this action; and
- h) For such further and other relief as this Court deems necessary, just and proper.

Dated: July 8, 2019

Respectfully submitted,

/s/ Richard A. Wright

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